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Docket No.: M1071.1392/P1392

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yutaka Takeshima

Application No.: 09/916,804

Art Unit: 1762

Filed: July 27, 2001

Examiner: M. E. Barr

For: METHOD OF PRODUCING COMPLEX
OXIDE THIN-FILM AND PRODUCTION
APPARATUS

**REQUEST FOR SUPPLEMENTAL
NOTICE OF ALLOWABILITY, ISSUE FEE PAID**

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Issue Fee
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Dear Sir:

Applicant respectfully requests that the Information Disclosure Statement filed on February 13, 2004 be acknowledged and the Examiner return the initialed PTO-SB/08 attached hereto.

As noted by the Examiner in the Communication mailed May 6, 2004, an Information Disclosure Statement was filed on 12/4/03 and the Examiner considered and made that of record. The previous request for a Supplemental Notice of Allowability, filed March 10, 2004, referred to that previous December 4, 2003 IDS in error. It should have referred to the IDS of February 13, 2004, which was filed before this case was allowed.

Application No.: 09/916,804

Docket No.: M1071.1392/P1392

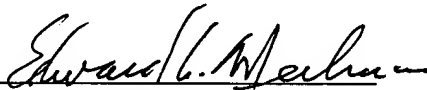
PAIR does not indicate that this file contains a copy of the February 13, 2004 IDS. Accordingly, a copy of that IDS, together with the Patent Office stamped return receipt postcard is attached hereto.

Issuance of a Supplemental Notice of Allowability is respectfully solicited.

No fee is deemed necessary in connection with the filing of this renewed request for issuance of a Supplemental Notice of Allowability. If any fees are required, authorization is given to charge the amount of any such fees to Deposit Account No. 50-2215.

Dated: May 14, 2004

Respectfully submitted,

By 

Edward A. Meilman

Registration No.: 24,735

DICKSTEIN SHAPIRO MORIN &
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Attorney for Applicant

EAM/mgs



Inventor: Yutaka Takeshima

Application No.: 09/916,804-Conf. #2161
Title: METHOD OF PRODUCING COMPLEX OXIDE THIN FILM APPARATUS

Documents Filed:
Information Disclosure Statement
SB/08 and cited reference

Via: Daily PTO Run
Sender's Initials: EAM/bi

Atty Doc

Date

Atty Docket No.: M1071.1392/P1392

Inventor: Yutaka Takeshima

Application No.: 09/916,804-Conf. #2161
Title: METHOD OF PRODUCING COMPLEX OXIDE THIN-FILM AND PRODUCTION APPARATUS

Filing Date: July 27, 2001

Documents Filed:
Information Disclosure Statement
SB/08 and cited reference



Via: Daily PTO Run
Sender's Initials: EAM/bi

Date: February 12, 2004



Docket No.: M1071.1392/P1392
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yutaka Takeshima

Application No.: 09/916,804

Confirmation No.: 2161

Filed: July 27, 2001

Art Unit: 1762

For: METHOD OF PRODUCING COMPLEX
OXIDE THIN-FILM AND
PRODUCTION APPARATUS

Examiner: M. Barr

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

- ☐ This IDS is being filed before the First Office Action¹.
- ☒ This IDS is being filed after the issuance of the First Office Action but before the issuance of a Final Office Action².

¹ The IDS should, where possible, include a certification under 37 C.F.R. §1.97(e).

- ☐ This IDS is being filed after the issuance of a Final Office Action but before the payment of the Final Fee³.

Certifications:

If checked, the undersigned makes the following statement(s):

- ☒ Statement under 37 CFR § 1.97(e):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; or

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ Statement Under 37 C.F.R. § 1.704(d):

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

² The IDS *must* include *either* a certification under 37 C.F.R. §1.97(e) *or* the fee set forth in 37 C.F.R. §1.17(p).

³ The IDS *must* include *both* a certification under 37 C.F.R. §1.97(e) *and* the fee set forth in 37 C.F.R. §1.17(p).

Fee Required by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):

☐ If checked,³ the fee of \$180.00 set forth in 37 C.F.R. §1.17(p) is attached.

Copies of Information:

In accordance with 37 C.F.R. §1.98(a), the following are enclosed:

- ☒ A legible copy⁴ of each document (or relevant portion thereof) is cited in the attached PTO/SB/08.
- ☒ With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached. This concise explanation is provided by way of:

☐ A translation of the relevant portions of the non-English language information⁵;

☒ A statement explaining the relevant portions of the non-English language information;

☐ A copy [and, where not in the English language, a translation] of at least the relevant portion(s)⁶ of the communication from a foreign patent office in a counterpart foreign application in which the information was cited; or

⁴ A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) – (c). This exception does not apply to information cited in an International Application.

⁵ 37 C.F.R. §1.98(a)(3)(ii) *requires* that an English language translation be provided when a translation of the document, or portion thereof, “is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c).”

⁶ The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an “X”, “Y”, or “A” indication on a search report. MPEP §609 III A(3).

Application No.: 09/916,804

Docket No.: M1071.1392/P1392

☐ This information is contained in the specification of the present application.

☐ In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not enclosed as they were provided in application Serial No. _____, filed _____, which the present application relies upon for an earlier effective filing date under 35 U.S.C. 120.

Materiality:

Whether or not the information and references disclosed in this Information Disclosure Statement is "material" pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

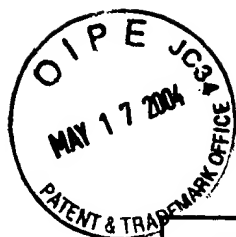
In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: February 12, 2004

Respectfully submitted,

By Edward A. Meilman
Edward A. Meilman

Registration No.: 24,735
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PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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|---|---|----|---|--------------------------|------------------------|
| Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 09/916,804-Conf. #2161 |
| | | | | Filing Date | July 27, 2001 |
| | | | | First Named Inventor | Yutaka Takeshima |
| | | | | Art Unit | 1762 |
| | | | | Examiner Name | M. Barr |
| Sheet | 1 | of | 1 | Attorney Docket Number | M1071.1392/P1392 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | BA | JP 57-011834 (w/ English Abstract) | 01-21-1982 | Matsushita Electric Inc Co Ltd | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | | | |
| | | Korean Office Action issued December 1, 2003 | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.